



Attorney Docket No. 9209-3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Kenneth Lee Harper

Serial No.: 09/641,045

Filed: August 17, 2000

For: **METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR DETERMINING A POINT OF LOSS OF DATA ON A COMMUNICATION NETWORK**

Confirmation No. 4757

Group Art Unit: 2153

Examiner: Kevin S. Parton

Date: February 26, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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**NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES** Technology Center 2100

Sir:

Pursuant to 35 USC §134, 37 CFR 1.191, and MPEP §1205, the Applicant in the above-identified patent application hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated November 5, 2003 at least twice rejected or finally rejecting claims 1-49.

☒ Enclosed is a check in the amount of \$165.00 for the Appeal fee as provided by 37 C.F.R. § 1.17(b). **[Applicant claims small entity status. See 37 CFR 1.27.]**

☐ Payment by credit card is requested. Form PTO-2038 is attached.

☒ A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

☐ Also enclosed: _____

☐ The Commissioner is authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0220. A duplicate copy of this sheet is enclosed.

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165.00 DP

Respectfully submitted,

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Certificate of Mailing under 37 CFR 1.8 (or 1.10)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 26, 2004.

Carey Gregory